

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

UNITED STATES OF AMERICA

Plaintiff,

v.

0.532 ACRES OF LAND, MORE OR LESS,
SITUATE IN STARR COUNTY, STATE
OF TEXAS; AND MARCOS MUNIZ JR.,
et al.,

Defendants.

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CASE NO. 7:20-CV-395

STATUS REPORT

1. On October 15, 2021, the United States filed its Amicus Brief Regarding Ownership of Subject Property, which counsel for Juanita P. Rivas “concurred” with on October 18, 2021¹, advising the court of a full list of interested parties and their percentages of ownership.²
2. On October 15, 2021, the United States also filed a Motion to Add Party Defendant, namely the Unknown Heirs of Omar Perez,³ which this Court granted on April 7, 2022.⁴
3. Title has been determined by the Court as of April 7, 2022.⁵
4. On April 29, 2022, the United States filed an opposed motion to substitute the Unknown Heirs of Solia P. Ramos and Ramiro Ramos Jr., for and in place of Solia P. Ramos.⁶ On

¹ Dkt. No. 139.

² Dkt No. 138.

³ Dkt. No. 137.

⁴ Dkt No. 141.

⁵ Dkt No. 141.

⁶ Dkt No. 142.

June 13, 2022, this Court granted said motion.⁷

5. The United States anticipates publishing on the additional defendants from July 20 – August 3, 2022.
6. The only remaining issue in this case would be a determination on just compensation.
7. On June 28, 2022, the United States spoke with the Starr County Assessor Deputy Chief who confirmed Starr County Assessor intends to claim \$7,897.04 in delinquent taxes from the Just Compensation determined by this Court. Additionally, the Starr County Assessor Deputy Chief advised they would not be contesting Just Compensation.
8. Per the Court's April 7, 2022 order, the United States proposes the following schedule for discovery relating to just compensation:
 - Party with the burden of proof on an issue shall designate expert on 12/12/2022
 - The opposing party shall designate expert witness on 12/23/2022
 - Discovery deadline by 1/6/2023.
 - Notify Court whether the parties (1) consent to the Court deciding the issue of Just Compensation upon briefs and evidence submitted therewith or (2) request an evidentiary hearing or trial on the issue of just compensation deadline on 1/13/2023.
 - Track A – Brief
 - Defendants' deadline to file a brief on the issue of Just Compensation and submit evidence on 1/20/2023.
 - Plaintiff's deadline to file a brief on the issue of Just Compensation and submit evidence on 2/22/2023.

⁷ Dkt No. 143.

- Track B—Hearing or Trial
 - Pretrial Motions deadline 1/20/2023
 - Motion hearing deadline by 2/22/2023
 - Joint Pretrial Order by 3/15/2023
 - Final Pretrial Conference 3/31/2023

9. The United States attempted to confer with all Defendants in anticipation of this Status Report. Landowners, Miguel Barrera, Ida Jimenez, Marcos Muniz, Jr., Lilly Ochoa, Richard Ochoa, Artemio Perez, Jose Luis Perez, Michaela Perez, Corina Pineda, and Davy Trevino, advised they do not contest the amount currently on deposit as Just Compensation. On June 15, 2022, the United States mailed to all Defendants, who have not yet responded, a letter detailing developments of the case, including the upcoming status conference and the issue of Just Compensation. The United States requested the defendants to contact the United States by June 30, 2022. To date, the United States has not received responses from the remaining defendants. On June 28, July 1, July 8, 2022, the United States attempted to contact Juanita P. Rivas' attorney but has not received a response.

Respectfully submitted,

JENNIFER LOWERY

United States Attorney
Southern District of Texas

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CERTIFICATE OF SERVICE

I certify that on July 8, 2022, a copy of the foregoing was electronically filed on the CM/ECF system and served to the Defendants in accordance with the Federal Rules of Civil Procedure.

By: *s/ Alexander N. DerGarabedian*
ALEXANDER N. DERGARABEDIAN
Assistant United States Attorney